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From: Norris McLaughlin & Marcus

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T-674 P.003/006 F-578

Beiersdorf 688/100718-275
6713-Dr. Wi-ka

IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

APPLICANTS: V. Schreiner et al.
SERIAL NO. : 09/701,710
FILED : December 1, 2000
FOR : COSMETIC OR DERMATOLOGIC PREPARATIONS
CONTAINING CATECHINS OR GREEN TEA EXTRACT
ART UNIT : 1619
EXAMINER : Alysia Berman

April 18, 2002

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Ms. Berman:

Enclosed is a copy of our Response to the Office Action dated 20 December 2001, which was originally filed with your office on March 8, 2002 and copy of the Notice of Non-Compliant Amendment. Also, please be advised that our original submission contained page 12.

Please make the above-mentioned correction at your earliest convenience.

Respectfully Submitted,

NORRIS McLAUGHLIN & MARCUS

By: Howard C. Lee
Howard C. Lee
Reg. No. 48,104

HCL/vif
Enclosures

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HKO
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 3-18-02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☒ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: Page 12 is missing from amt

(LIB: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Vicki Park
Legal Instruments Examiner (LIE)

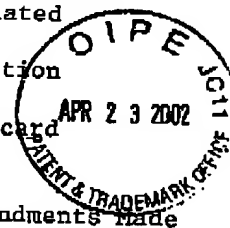
(Rev. 12/01)

Received
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AB

CASE # Beiersdorf 688/100718-275 Serial No. 09/701,710
6713-Dr. Wi-ka
DATE MAILED: April 18, 2002 .DATE DUE:

The stamp of the Patent Office hereon may be taken as
acknowledgement of receipt, on the date stamped, of the
following:

1. Letter to Examiner, Alysia Berman, in response
to Notice of Non-Compliant Amendment dated
March 29, 2002
2. Copy of original Response to Office Action
dated December 20, 2001, including:
 - copy of stamped return receipt postcard
 - copy of Transmittal Letter
 - copy of Amendment (pp. 1-10)
 - copy of Copy of Claims Showing Amendments Made
(pp. 11-13)
3. copy of Office communication including
Notice of Non-Compliant Amendment



CASE # 100718/275/Beiersdorf 688-HCL SERIAL NO.: 09/701,710
DATE MAILED: March 8, 2002 DATE DUE: March 20, 2002

The stamp of the Patent Office hereon may be taken as acknowledgment of receipt, on the date stamped, of the following:

1. Transmittal Form
2. Amendment Under 37 CFR §1.111
 - a. Copy of Claims Showing Amendments Made
 - b. Copy of Postcard dated December 1, 2000 showing receipt of IDS
 - c. Copy of the PTO 1449 previously submitted
 - d. Copy of three references (previously submitted)



FACSIMILE COVER SHEET

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Date: 26 July 2002

To: Examiner Alysia Berman
US Patent and Trademark Office
Tel. 703-308-4638
Fax: 703-746-4977

Subject: USSN 09/701,710
Our Ref.: Beiersdorf 688

From: Howard C. Lee

Comments: attached are copies of the documents you requested.

If you have any questions or need further information, please contact us.

You should receive 6 pages including this cover sheet.

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